

ROBERT JOHNSON.

JANUARY 24, 1857.—Ordered to be printed.

Mr. B. CLARKE, from the Committee on Military Affairs, made the following

REPORT.

*The Committee on Military Affairs, to whom was referred the memorial of Robert Johnson, respectfully report :*

The memorialist claims for arrears of pay under the following circumstances: He was a private in Captain Forsythe's company of United States rifles, and enlisted in the service for five years on the 18th of June, 1809. On the 28th of February, 1811, he is noted sick. The memorialist alleges that becoming sick he received a furlough to go home. He admits himself that on account of his severe sickness he never returned to his company. Notwithstanding this admission he claims arrears of pay. The committee can see no good reason why the claim of the petitioner should be allowed. To do so would be to encourage soldiers to remain at home upon the expiration of their furloughs in contempt of the regulations for the proper observance of discipline which requires their return. There does not, however, appear from the records of the War Department that the memorialist ever received a furlough. If then the record evidence is true, he is a deserter. The committee, however, are disposed to regard the memorialist as having received a furlough. If this be so, and his sickness was such as to prevent his rejoining his command, it was his duty to have notified his commanding officer of his disability. If ever, after the expiration of his furlough, his disability still continued, it was still his duty to have notified his commanding officer of his continued sickness, and at the end of his term of enlistment to have claimed an honorable discharge. He does not appear to have done any of these things. The committee, therefore, in the absence of any evidence of honorable discharge, ask to be discharged from the further consideration of the memorial.

